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OFFICE OF PETITIONS

In re Application of :
Wolfgang REIK et al. :
Application No. 09/982,136 :
Filed: October 12, 2001 :
Attorney Docket No. 3191/OJ838 :

ON PETITION

This is a decision on the petition under 37 CFR 1.181, filed June 1, 2005, to withdraw the holding of abandonment.

The petition is **GRANTED**.


The above-identified application was held abandoned for failure to file a timely reply to the Office letter mailed October 13, 2004. A Notice of Abandonment was mailed May 23, 2005.

Petitioner asserts that the Notice of Abandonment mailed May 23, 2005 be withdrawn as it was premature because the Office letter, i.e., the Examiner's Answer, mailed October 13, 2005 did not require a response from appellant.

A review of the Examiner's Answer mailed October 13, 2005 does not indicate that there was a new ground of rejection or that a response was due from appellant. Accordingly, the Notice of Abandonment mailed May 23, 2005 is withdrawn as premature.

The application is being referred to the Technology Center AU 3682 for further processing in accordance with the above decision.

Telephone inquiries concerning this decision should be directed to David A. Bucci at (571) 272-7099.


David Bucci
Petitions Examiner
Office of Petitions